The
REPORTER
For Conscience' Sake

VOLUME XII | OCTOBER, 1955 | NUMBER 10

Immigration Policy Conflicts With SS Precedents Regarding COs and Defense Work

A paradoxical situation now exists between the conflicting policies of the Immigration and Naturalization Service and the Selective Service System regarding COs and their willingness to do civilian defense work.

In spite of the apparently fair provisions in the McCarran-Walter Immigration Act for COs, the Immigration Service continues to deny naturalization to aliens who feel it necessary to not accept civilian defense plant work.

In contrast to this position, Selective Service and the CO section of the Department of Justice have consistently taken the position in numerous cases, that if a person is willing to work in a defense plant, he is not a sincere CO.

Even more paradoxical is the fact that the Immigration Service is a sub-division of the Department of Justice. COs desiring citizenship papers are asked substantially this question: "If you will not accept military service, will you agree to perform any and all types of civilian work that you might be called upon to perform, even including defense plant work?"

The alien usually feels it necessary to exclude defense plant work; consequently the person is denied citizenship.

A case involving this situation is now pending before the U. S. District Court of Western New York, and it is expected that the forthcoming decision will decide whether or not the Immigration and Naturalization Service is correct in its interpretation of the "alternate oath," which aliens who claim conscientious objections to military service may take in lieu of the regular oath.

As early as 1953 NSBRO members conferred with Immigration Service officials on the matter, and later a memorandum was sent to supplement NSBRO's claim.

(Continued on Page 2)

LeRoy Doty, Jr. Is New Executive Secretary

On September 22, the Board of Directors of NSBRO announced the appointment of C. LeRoy Doty, Jr., of Glendale, Calif., as the new Executive Secretary. He will begin his duties on January 1, 1956, filling the vacancy left by A. Stauffer Curry.

Mr. Doty is a minister in the Church of the Brethren at Glendale, Calif.; he received his A.B. degree from McPherson College in Kansas in 1950, and his B.D. degree from Bethany Biblical Seminary in 1953. He has also taken additional graduate work at the University of Chicago leading to the M.A. degree in Political Science.

In the summer of 1953 Mr. Doty and his wife toured the British Isles and most of Western Europe visiting Brethren Service Centers on-route and observing social, economic and political conditions.

In October of 1953 he accepted the call of the Church of the Brethren in Glendale, Calif. Since then he was elected to serve on the Board of Administration for the District of Southern California and Arizona in the Church of the Brethren, and also was elected to the standing committee of the 1955 Annual Conference representing the same district.

The Doty's have one child, a boy, Mark Burton Doty, who arrived on January 1, 1955. Prior to becoming a minister and while attending school he was associated with his father, a prominent Los Angeles businessman, in the life insurance business.

LeRoy Doty, Jr.

NSBRO Consultative Council Discusses CO Problems

A meeting of the Board of Directors and Consultative Council was held on September 22 at the Mt. Vernon Place Methodist Church.

Representatives from 17 religious groups and organizations were present to discuss problems given in the semi-annual NSBRO staff report to the Consultative Council.

Published by the National Service Board for Religious Objectors

The Reporter
For Conscience' Sake
Published by the
National Service Board for Religious Objectors
1105 K Street, N.W., Washington 5, D. C.
Board of Directors
W. Harold Row, Chairman
Wm. T. Snyder, Vice-Chairman
W. Merton Scott, Recording Secretary
Huber F. Klemme, Treasurer
Robert R. Weiskotten
Herman Will
Acting Executive Secretary
Edgar Metzler
Attorney Adviser
Robert B. Myers
Office Secretaries
Wendell Lentz Emogene Schrock
Ann Hunt James Shafer
Entered as Second Class Matter at the Post Office at Washington, D. C.
Subscription: $1.00 Per Year
Published Monthly

Immigration Policy

(Continued from Page 1)

It was then brought out that in 1952 Senator Pat McCarran (D-Nevada), author of the bill, stated that Selective Service Standards were to be used in CO cases, and that the "alternate" naturalization oath was designed not to violate genuine religious convictions.

NSBRO also pointed out that by the Immigration Service insisting that a I-O person (who refuses all military service) make and handle weapons in a civilian defense plant, they were requiring more of him than was required of a I-A-O man (who has accepted non-combatant service).

In the 1953 case of Taffs v. U. S., the court took the Selective Service position when it said:

> "War, generally speaking, has only one form, a clash of opposing forces. But a person's participation therein may be a variety of forms. He may be carrying a rifle, piloting a plane, working in a defense plant on the home front."

At present there are several aliens pressing for naturalization papers who claim to be COs.

Illinois CO Wins New Trial

In a Supreme Court decision handed down in June, Illinois CO Perry Bowen Moore was granted a new trial, having been previously convicted of draft evasion.

Federal Judge William Campbell of Chicago was blasted for refusing Moore and other witnesses from taking the stand for the defense because they refused to swear the usual oath or to "solemnly affirm" that they would tell the truth.

Certain S. Calif. SS Officials Hard On COs

Reports of informal contacts with certain Selective Service officials in Southern California indicate the following attitudes towards COs.

1. Any mention of personal morals or philosophy, as a basis for the CO claim, lead the officials to assume that the claimant's basis is moral or philosophical rather than religious.
2. Being "religious" seems to be measured largely by evidence such as no drinking, no criminal record, no trouble with school authorities, etc.
3. The officials seem to depend heavily on the CO's past record; thus a person who recently came to the CO position has little chance of being recognized.
4. The interpretation of "religious training and belief" is very narrow. If there is no encouragement for the CO's position in a registrant's home, or if he mentions a philosophy class, then he is apt to be denied his claim.
5. There seems to be little understanding of the fact that youths who are draft liable are of the age in which they are in the formative process with reference to religious beliefs. Selective Service officials seem to think a young person should have held his beliefs for many years just as they would expect a person in middle life to do.

Brethren I-Ws Help In Flood Cleanup

Nearly twenty I-W men participating in the Brethren Volunteer Service training program recently spent a week at Stroudsberg, Pa., working on flood cleanup activities.

The town was hit by a swift deluge of rain which flooded the town before many residents knew of the situation, drowning almost 100 of the townspeople. The BVSers, who normally do their training activities at New Windsor, Md., had their classes at night, after shoveling mud out of cellars and doing other relief activity during the day.

NIH Needs 55-75 Year-Old Volunteers

In an interview with scientific personnel at the National Institutes of Health (NIH) recently, historic peace church personnel learned that "normal control subjects"—healthy people—are needed in the 55-75 age range.

British CO Is Sent To Jail

Following is an article from "Peace News" of July 22, 1955, from London, which shows the difficulty of a CO even under the more liberal draft regulations in Great Britain.

Students Appeal to MPS

Swansea and Cardiff University students have sent a letter to all the MPS for Wales, and also to the Home Secretary, protesting at the imprisonment of Chris Rees, the Welsh Nationalist Parliamentary candidate and objector to military service.

The letter, signed by Emyr Jones and E. Roberts, Presidents of the Swansea and Cardiff Students' Unions respectively, reads:

"We have been instructed by the Students' Unions of the University Colleges of Swansea and Cardiff to write to you conveying our concern at the imprisonment, as from May, of one of our number for objecting to conscription under the National Service Acts.

"Though many of us do not agree with the views held by Mr. Chris Rees, the student concerned, all who know him are fully convinced that he holds those views sincerely and conscientiously. College lecturers and other prominent persons testified to this effect during his tribunals and the whole evidence of those tribunals points to his complete sincerity.

"As you are aware, the National Service Acts make no distinction between varying types of conscience and tribunals are not supposed to test the logic of any argument and then find for the objector as they agree or disagree with that argument. The only test required by Act of Parliament is that an objector should be conscientious. On these grounds we have no hesitation in saying that Mr. Rees has been imprisoned without justification.

"It seems to us that the tribunals and courts are without warrant in attempting to put their own construction on Acts of Parliament as they do by the different and prejudicial attitude adopted towards various types of conscience (an attitude of which Mr. Rees is the latest victim) and we earnestly appeal to you to do everything in your power to prevent the authority which should reside in you, as the elected representatives of the people, from falling into the hands of unrepresentative tribunals and courts, which should not trespass on the domain of policy-making.

"The law requires sincerity; scores of us know Mr. Rees to be sincere, whilst the evidence of the tribunals points to the same deduction.

Greek Royalty Commends Mennonite I-W Men

King Paul and Queen Frederica of Greece have voiced their approval for the agricultural demonstration program being carried out in their country by several units of Mennonite I-W men.

"I want to express my appreciation for what the American boys are doing," said Queen Frederica when two I-Ws were introduced to the royal couple. Dean Zehr, leader of the Greek units, and Dwight Wiebe, European director of Mennonite I-W "PAX" units, were told by the Queen that she was "impressed" by the rural villages' "most enthusiastic" support of the demonstration program.

Previous to this, the Greek Queen had visited I-Ws working in Northern Greece in connection with her program of relief and youth work being carried on in the same vicinity. The small villages where the I-Ws are working are in the area most devastated by World War II, occupations, and more recently, Communist guerrilla fighting finally put down by the Greek government.

As a result of this visit, the Queen requested the American Consulate in Salonika to convey to Mennonite Central Committee headquarters at Akron, Pa., her appreciation for the contribution of the Mennonite I-Ws in Greece.

Consulate Murat Williams told the Mennonites that the Queen's good impression stemmed mainly from two things (1) the villages' enthusiastic appreciation of this work; (2) the harmonious relationship existing between the Greek Orthodox state church and the I-Ws.

The Greek government backed up its verbal support of the program by announcing that it would aid them by contributing $2,000 bi-annually. The announcement came from Andreas Verriopoulos, Director of Agricultural Extension and Education for the Ministry of Agriculture. The subsidy will pay the salaries of two interpreters used by the I-W units.

The agricultural demonstration program includes education on increased soil productivity, re-processing the yield for greater market value, an artificial breeding program, poultry raising, gardening and canning.

Pentagon Asks For Induction Increase

In order to facilitate the newly-authorized six months reserve training program, the Army has asked for a 3000-man increase in draft calls and a 16,000-man-power total, the Pentagon recently announced.

The 3000-man increase in draft calls, beginning in November, will start simultaneously with the Navy's first draft call of 10,000—the first since World War II.

The number of men available for induction has jumped from 938,000 to 1,764,000 in the past two years.

Ohio Hospital Has Openings for COs

The Blanchard Valley Hospital Association of Findlay, Ohio, will shortly have several openings for COs.

Available job openings include janitorial work at a starting salary of $150 a month, and orderly positions with a beginning salary of $165 a month. Currently there are six COs employed at the hospital, all of whom have moved into higher paying jobs, such as laundry washmen, maintenance men, and a storekeeper.

First Woman COs Are In Isreal

The Jewish state of Israel has made the first woman COs in history by instituting a conscription program which requires all unmarried Isreali girls to serve two years in the army doing behind the front auxiliary jobs.

The Isreali government provides for conscientious objections for unmarried women only; no provision is made for men. COs are totally exempt from the draft.

To obtain recognition as a woman CO, the girl must go before a special commission and prove her sincerity on either or both of two propositions:

(1) That she maintains religious scruples against bearing arms or doing auxiliary service, and/or;

(2) Must prove that they are moved by their own or their parents' convictions.

The principal sect which opposes war is a branch of Orthodox Jews, who maintain that it is against the letter and spirit of the Bible to do any type of military service.

The girls are drafted when they turn 18. After two years of service, they are called up for reserve duty each year until they are 29.

METHODIST CO GETS THREE CLASSIFICATIONS IN THREE APPEALS

A remarkable case of a young Methodist CO whose case is currently being processed for his third appeal is unusual because each appeal came out with a different recommendation for classification from the Department of Justice.

In the course of the first appeal, the registrant was recommended for a I-A-O. In the second appeal, the hearing officer and the Department recommended I-O. In the third appeal, the hearing officer and the department recommended I-A!

No new evidence has been produced which would result in a change in recommendation from one hearing to another. The difference in decisions seems to revolve around the attitude and reaction of the individual hearing officer.

SS Offers New Plan For Drafting Younger Men

The Selective Service System has proposed a new plan aimed at getting more younger men into uniform. Draft regulations would be relaxed to exempt most young fathers and all men over 26 years of age, so that draft boards would take younger men instead of older registrants. Many of the local boards take older men because their draft liability is running out.

The immediate Pentagon reaction to the proposal was stated by Assistant Defense Secretary Carter Burgess: "We will study the Selective Service proposals—which I have not yet seen, very carefully. I do not know what they provide, but I am opposed to any new permanent exemptions from the draft for anyone." He added that young men "should not be encouraged to believe they could gain repeated deferments which would lead to their exemption from military service."

Officials said the Army is getting a lot of men in the 23-to-25 age bracket. Selective Service prefers to have young men of 19 and 20 who have not yet started families and settled into civilian life.

The proposed amendment to SSS regulations is now being circulated among the Bureau of the Budget and several governmental agencies for comment before final action. Already there has been informal interdepartmental consultation and, according to John G. Norris of the *Washington Post*, "It is believed that the plan has clear sailing."

It may be quite some time before the proposal will be submitted to President Eisenhower.

COs Receive Less Paroles Than Before

Although the percentage of paroles obtained by COs is still higher than for other draft violators, the trend for the the first part of 1954 showed a decrease in paroles given to COs.

The Central Committee for Conscientious Objectors reports that the only real loss in paroles has been the more unfavorable attitude of the Board of Parole, which now invariably forces every CO to serve a full 12-month term before he is considered.

During the fiscal year ending June 30, 1954, religious objectors were given 36 hearings, and 31 were released under parole, making an 86.1% of decisions for parole. Jehovah's Witnesses, who are classified separately from religious objectors by prison authorities, were granted 96 paroles out of 112 applications making an 85.1% of success. Non-religious objectors were given 9 paroles out of 13 applied for, making 69..2% successful in gaining freedom. Draft violators for reasons other than convictions against war had the lowest average of successful applications for parole—only 46.6%.

A total of 339 men were sent to prison for Selective Service Act violations not all COs) during the previous year. SS violators sentenced in 1953 were 277, in 1952: 273, in 1951: 115, in 1950: 39, and 74 in 1949. "Federal Prisons — 1954," issued recently, gives the above figures.

The length of sentences for the 339 men are as follows: 8 sentences under 3 months, 7 from 3 months to under 6 months, and 39 from 6 months to a year. This gives a total of 54 men sentenced to prison for one year or less. There were 33 sentences of 1 year and 1 day in length, 47 over 1 year and 1 day and under 2 years, 80 from 2 to 2½ years, 112 over 2½ years and under 5 years, and 12 sentences from 5 years to under 10 years. No sentences were for 10 years or more. The average length of sentence was 25.4 months compared to 28.3 for 1953, showing a slight decline.

During the fiscal year 1954 sentences for religious objectors who were released during that time averaged higher (37.0 months) than Jehovah's Witnesses, who have in the past averaged more. The J. W.'s averaged 29.0 months, while non-religious objectors averaged 23.8 months, and draft violators for reasons other than war came out with a 21.0 average. Again we see that men with convictions against participation in war are generally more harshly sentenced than those merely trying to evade military service.

In spite of the fact that recedivism in American prisons is at an all-time high (63.8%) among those with sentences of more than one year, repeating violators of the Selective Service Act have only an 11.2% average, compared to 14.9% in 1953. This is the lowest percentage of "repeaters" in any class of offense. This figure would even be lower if conscientious objectors were discounted, because almost all the repeating offenders are draft violators for reasons other than a belief in the wrongness of war, and a few cases where COs are placed in double jeopardy convictions.

Supreme Court Asked To Hear CO Cases

The United States Supreme Court is being asked to hear at least five conscientious objector cases during the 1955-1956 term which begins October 3. The cases involve a wide variety of issues under the Selective Service law.

In Palmer v. U. S., the main question is whether an individual who conscientiously refuses to register under Selective Service can be classified as a CO even though the usual CO forms and procedures are not completed.

Two cases, Hoepker v. U. S. and Pomorski v. U. S., raise the interesting contention that the assignment of COs to state and private institutions, rather than federal, is contrary to the intent of the Selective Service law and is a violation of the Fifth and Thirteenth amendment.

State-Wide discrimination against Jehovah Witnesses in Illinois is alleged in the case of Diercks v. U. S.

The case of LaRose v. Wyman involves a CO whose local board refused to send his file to the appeal board when he protested getting the I-A-O instead of I-O. LaRose was subsequently inducted into the Army, and now he is seeking a writ of habeas corpus on grounds of involuntary servitude.

Alien Has No Difficulty Securing CO Classification

A young CO from Denmark was recently given a I-O classification by his local board in Missouri after he filed lengthy statements describing his religious beliefs. Although born and raised in the Danish Lutheran State Church, this individual had been taught pacifism in his home and had registered as a conscientious objector under the Danish system of conscription. Letters from Denmark to his local board in the U. S. helped to support his claim as a CO.

METHODIST YOUTH AFFIRMS CO POSITION

At the recent National Conference of Methodist Youth held at Purdue University, the issues of Christianity and war and participation in war were discussed and the following resolutions were approved:

1. "We believe that Christianity and war are inherently incompatible. Christianity upholds the dignity of human personality. War reduces human personality to an instrument of equivocating national policies. Christianity therefore demands that we actively participate in the world-wide quest for peace.

   "We therefore hold that it is the obligation of every Christian to oppose the way of war and identify himself with those forces, national and international, which truly seek peace..
2. "The National Conference of Methodist Youth affirms that both conscientious participation in and conscientious objection to war may be positions which Christians take. Christian conscience is a matter between God and man. A major tenet of the Christian faith is a respect for the individual and the individual's personal conscience. We hold in fellowship every Christian who acts according to his deepest understanding of the will of God in his approach to the problem of war, whether he be a conscientious objector, participant, or non-registrant."

THE REPORTER
For Conscience' Sake
1105 K STREET, N. W.
WASHINGTON 5, D. C.

FORWARDING POSTAGE GUARANTEED

Entered as Second-Class Matter
at the Post Office at Washington, D. C.